

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

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|---------------------------|---|---|
| JUSTIN HATTEN, | : | |
| Petitioner, | : | |
| -vs- | : | Case No. 3:11cv00324 |
| | : | District Judge Timothy S. Black |
| WARDEN, CHILLICOTHE | : | Chief Magistrate Judge Sharon L. Ovington |
| CORRECTIONAL INSTITUTION, | : | |
| Respondent. | : | |

ORDER

This case is presently before the Court upon Petitioner Justin Hatten’s “Notification of Attorney Discharge” (Doc. #17), Attorney Eric J. Allen’s Motion to Withdraw as Counsel of Record (Doc. #18), and the record as a whole.

On February 28, 2013, Petitioner Hatten filed a “notification of attorney discharged” (docketed as a motion to disqualify counsel), stating that he was disappointed with the services provided by his counsel, Eric J. Allen, and would like to proceed *pro se* with this habeas action. On March 12, 2013, Mr. Allen filed a Motion to Withdraw (Doc. #18), indicating that Petitioner has discharged him as counsel and requesting to withdraw as counsel of record. *Id.*

Petitioner has clearly conveyed his dissatisfaction with Mr. Allen’s services and his desire to proceed *pro se* with this matter. Mr. Allen has also confirmed his services

have been terminated by Petitioner Hatten. Accordingly, Petitioner's Motion to Disqualify Counsel (Doc. #17) and Mr. Allen's Motion to Withdraw (Doc. #18) are well taken.

IT IS THEREFORE ORDERED THAT:

1. Petitioner Justin Hatten's "Notification of Attorney Discharge" (Doc. #17) is GRANTED;
2. Eric J. Allen's Motion to Withdraw as Counsel of Record (Doc. #18) is GRANTED; and,
3. The Clerk of Court is directed to remove Eric J. Allen as counsel of record, note on the record that Petitioner Justin Hatten is proceeding *pro se*, and send all future correspondence directly to him at the following address:

**Justin Hatten A606-687
Chillicothe Correctional Institution
P.O. Box 5500
Chillicothe, Ohio 45601**

March 18, 2013

s/Sharon L. Ovington
Sharon L. Ovington
Chief United States Magistrate Judge